

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GIRAFA.COM, INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	C.A. No. 07-787 (SLR)
AMAZON WEB SERVICES LLC,)	
AMAZON.COM, INC., ALEXA INTERNET,)	
INC., IAC SEARCH & MEDIA, INC.,)	
SNAP TECHNOLOGIES, INC., YAHOO!)	
INC., SMARTDEVIL INC., EXALEAD, INC.)	
and EXALEAD S.A.,)	
)	
Defendants.)	

**EXALEAD S.A. AND EXALEAD, INC.'S MOTION FOR
SUMMARY JUDGMENT OF NONINFRINGEMENT FOR ALL CLAIMS**

Defendants Exalead S.A. and Exalead, Inc. (collectively, "Exalead") hereby respectfully move pursuant to Fed. R. Civ. P. 56(b) for summary judgment that Exalead does not infringe any of the asserted claims of U.S. Patent No. 6,864,904.

The grounds in support of this Motion are set forth in Exalead S.A. and Exalead, Inc.'s Memorandum of Law in Support of Their Motion for Summary Judgment of Noninfringement, which is filed and served concurrently herewith.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Thomas C. Grimm

Thomas C. Grimm (#1098)
James W. Parrett, Jr. (#4292)
1201 N. Market Street, P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
tgrimm@mnat.com
jparrett@mnat.com
*Attorneys for Defendants Exalead, Inc.
and Exalead S.A.*

OF COUNSEL:

Harold V. Johnson
Scott A. Timmerman
BRINKS HOFER GILSON & LIONE
NBC Tower, Suite 3600
455 North Cityfront Plaza Drive
Chicago, IL 60611-5599
(312) 321-4200

June 1, 2009
2922698

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GIRAFA.COM, INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	C.A. No. 07-787 (SLR)
AMAZON WEB SERVICES LLC,)	
AMAZON.COM, INC., ALEXA INTERNET,)	
INC., IAC SEARCH & MEDIA, INC.,)	
SNAP TECHNOLOGIES, INC., YAHOO!)	
INC., SMARTDEVIL INC., EXALEAD, INC.)	
and EXALEAD S.A.,)	
)	
Defendants.)	

[PROPOSED] ORDER

IT IS HEREBY ORDERED this ____ day of _____, 2009, that
defendants Exalead S.A. and Exalead, Inc.'s Motion for Summary Judgment of Noninfringement
For All Claims is hereby GRANTED.

United States District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2009, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF which will send notification of such filing to all registered participants.

Additionally, I hereby certify that true and correct copies of the foregoing were caused to be served on June 1, 2009 upon the following individuals in the manner indicated:

BY HAND & BY E-MAIL

Steven J. Balick
John G. Day
Tiffany Geyer Lydon
ASHBY & GEDDES
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, DE 19899
Attorneys for Plaintiff

BY E-MAIL

Arthur G. Connolly, III
CONNOLLY BOVE LODGE & HUTZ LLP
1007 N. Orange Street
P.O. Box 2207
Wilmington, DE 19899
*Attorneys for Defendant
Snap Technologies, Inc.*

Jeffrey L. Moyer
Anne Shea Gaza
RICHARDS, LAYTON & FINGER, P.A.
One Rodney Square
920 N. King Street
Wilmington, DE 19801
*Attorneys for Defendant
IAC Search & Media, Inc.*

BY E-MAIL

William H. Mandir
John F. Rabena
Carl J. Pellegrini
S. Walter
Chandran B. Iyer
Trevor C. Hill
Ryan M. Corbett
SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037

Daniel M. Cislo
Mark D. Nielsen
Kelly W. Cunningham
CISLO & THOMAS LLP
1333 2ND Street, Suite 500
Santa Monica, CA 90401-4110

Claude M. Stern
Jennifer A. Kash
Antonio R. Sistos
Alison E. Monahan
QUINN EMANUEL URQUHART
OLIVER & HEDGES, LLP
50 California Street, 22nd Floor
San Francisco, CA 94111

Jack B. Blumenfeld
Rodger D. Smith II
MORRIS, NICHOLS, ARSHT
& TUNNELL LLP
1201 N. Market Street
Wilmington, DE 19801
Attorneys for Defendant Yahoo! Inc.

John W. Shaw
Andrew A. Lundgren
Elena C. Norman
YOUNG CONAWAY STARGATT
& TAYLOR LLP
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19801
Attorneys for Intervenor Idealab

Matthew D. Powers
Douglas E. Lumish
Yen P. Nguyen
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065

Richard J. Mooney
LINER YANKELEVITZ SUNSHINE
& REGENSTREIF LLP
199 Fremont Street, #2000
San Francisco, CA 94105

/s/ Thomas C. Grimm

Thomas C. Grimm (#1098)
tgrimm@mnat.com